REMARKS

Applicant thanks the Examiner for the attention to the current application. Claims 1 - 48 were examined. Claims 1, 5, 6, 17, 18, 19, 23, 24, 34, 35, 41, 43 and 44 have been amended for clarity. Claims 10, 15, 16, 27, 32, 33 and 39 have been cancelled. No new subject matter was added by way of the amendments, which are fully supported by the specification as originally filed.

I. The Objection to the Drawings

The drawings were objected to under 37 CFR 1.121(d). Applicant submits corrected formal drawings. The drawings have been amended to correctly label the "TCP" and "UDP" elements as 20 and 15 respectively. The drawings have been further amended to provide the boxes of Figure 3 with descriptive text labels.

Applicant respectfully submits that the drawings now comply with 37 CFR 1.121(d).

II. The Objection to the Specification

The specification was objected to for the use of the trademarks RealNetworks, RealPlayer, NetShow, CU-SeeMe, Microsoft and Macintosh. The specification has been amended to identify the above noted terms as trademarks.

III. The Obviousness Rejections

Claims 1 - 10, 15 - 27, 32 - 34 and 44 - 48 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Ignatius et al. (U.S. 7,209,972, hereinafter "Ignatius") in view of Ganger et al. ("Fast and Flexible Application-Level Networking on Exokernel Systems", hereinafter "Ganger"). Applicant respectfully requests reconsideration of the rejection in view of the claim amendments and at least the reasons set forth below.

Ignatius teaches a framework that can be used to provide an extendable pipeline between extracting data from a data source and storing it. The extendable pipeline may include various modules that attach themselves to a specific shared memory space segment that is shared among modules on that machine for a particular pipeline. This shared memory segment may include

data buffers, input queues for all stages on the pipeline, and their initial values. Each module in the pipeline identifies its own input queues and output queues depending on the stage that module is supposed to run at, and initial queue (first stage) is populated with a number of data segments for sharing on this particular pipeline. The pipeline may be used to transfer data between pipelines running on different computers by connecting a network agent as a module in the pipeline (Col 10, lines 1 - 15).

When a data mover receives data to be stored from an application, the data mover accesses an external Master Map in order to determine the location the data is to be stored at. Once the data has been transferred to the proper location, a media module is used to determine what media to use in order to store the received data (Col 15, line 55 - Col 16, line 27).

Ganger describes fast and flexible application level networking on Exokernel systems. The use of application-level networking is that it allows networking software to be specialized for and integrated with important applications. This allows application writers to manipulate network features that have traditionally been hidden in the OS kernels.

In contrast to both Ignatius and Ganger, the currently amended claims clarify that a write call made by an application running in a first context includes first and second destinations as well as pointing to first and second quantities of data to send to the respective destinations. Applicant respectfully submits that this is not taught by Ignatius. As described above, Ignatius teaches that a master map is consulted in order to determine where to send data. As such, it is clear that Ignatius does not consider including multiple destinations in a write call.

By including data for multiple destinations, the systems and methods recited by the claims may advantageously reduce the number of calls required to process the data to be transmitted and so also reduce the number of context switches required to process the calls, which reduces the CPU cycles required. Applicant has further amended the independent claims to clarify that the application and driver are operating in different contexts.

Applicant respectfully submits that neither Ignatius, nor Ganger, disclose all of the limitations of the amended independent claims. As such Applicant respectfully submits that independent claims 1, 19, 35, 43 and 44, as well as claims dependent therefrom, are not obvious in view of the combined teachings of Ignatius and Ganger and so comply with 35 U.S.C. 103(a).

Haddock et al. (U.S. 6,104,700, hereinafter "Haddock") has been relied upon in rejecting claims 11 - 14, 28 - 31 35 - 40, 42 and 43 under 35 U.S.C. 103(a) in combination with at least Ignatius as well as Haddock. Applicant respectfully submits that the mechanism for managing, monitoring, and prioritizing traffic within a network and allocating bandwidth to achieve true quality of service (QoS) taught by Haddock does not teach or suggest the deficiencies of either Ignatius or Ganger as set forth above. As such, Applicant respectfully submit that claims 11 - 14, 28 - 31, 35 - 40, 42 and 43 are not obvious in view of Ignatius when combined with Haddock, Ganger or both Haddock and Ganger, and so comply with 35 U.S.C. 103(a).

CONCLUSION

It is respectfully submitted that the application is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

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Date: 5 January 2010

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